

AMENDED IN SENATE APRIL 12, 2005

SENATE BILL

No. 829

Introduced by Senator Murray

February 22, 2005

An act to ~~amend Section 40914 of~~ *add Section 43003 to* the Health and Safety Code, relating to air quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 829, as amended, Murray. Air quality: ~~district plans~~ *vehicular sources*.

Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution, and air pollution control districts and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. ~~Existing law requires each district that has been designated a nonattainment area for state ambient air quality standards for criteria pollutants to prepare and submit to the state board a plan for attaining and maintaining these air quality standards. Existing law requires each district plan to achieve a reduction in districtwide emissions of 5% or more per year for each nonattainment pollutant, unless an alternative measure of progress is approved. Existing law also permits a district to use an alternative emission reduction strategy which achieves less than an average of 5% or more per year reduction in districtwide emissions if the district demonstrates to the state board, and the state board concurs in, specified determinations.~~

This bill would ~~make technical, nonsubstantive changes to the provision permitting each district to use an alternative emission reduction strategy~~ *require the state board to develop a feasible quantified methodology to evaluate the impact of transportation projects on conformity with state ambient air quality standards no later than June 30, 2010.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 40914 of the Health and Safety Code is~~
2 ~~amended to read:~~
3 ~~SECTION 1. Section 43003 is added to the Health and Safety~~
4 ~~Code, to read:~~
5 ~~43003. The state board shall develop a feasible quantified~~
6 ~~methodology to evaluate the impact of transportation projects on~~
7 ~~conformity with state ambient air quality standards no later than~~
8 ~~June 30, 2010.~~
9 ~~40914. (a) Each district plan shall be designed to achieve a~~
10 ~~reduction in districtwide emissions of 5 percent or more per year~~
11 ~~for each nonattainment pollutant or its precursors, averaged every~~
12 ~~consecutive three-year period, unless an alternative measure of~~
13 ~~progress is approved pursuant to Section 39607.~~
14 ~~(b) A district may use an alternative emission reduction~~
15 ~~strategy that achieves less than an average of 5 percent per year~~
16 ~~reduction in districtwide emissions if the district demonstrates to~~
17 ~~the state board, and the state board concurs in, either of the~~
18 ~~following:~~
19 ~~(1) That the alternative emission reduction strategy is equal to~~
20 ~~or more effective than districtwide emission reductions in~~
21 ~~improving air quality.~~
22 ~~(2) That despite the inclusion of every feasible measure in the~~
23 ~~plan, and an expeditious adoption schedule, the district is unable~~
24 ~~to achieve at least a 5-percent annual reduction in districtwide~~
25 ~~emissions.~~
26 ~~(c) For purposes of this section and Section 41503.1, for each~~
27 ~~district that is designated nonattainment for a state ambient air~~
28 ~~quality standard but is designated attainment for the federal air~~
29 ~~quality standard for the same pollutant, reductions in emissions~~

1 shall be calculated with respect to the actual level of emissions
2 that exist in each district during 1990, as determined by the state
3 board. All reductions in emissions occurring after December 31,
4 1990, including, but not limited to, reductions in emissions
5 resulting from measures adopted prior to December 31, 1990,
6 shall be included in this calculation. For each district that is
7 designated nonattainment for both state and federal ambient air
8 quality standards for a single pollutant, reductions in emissions
9 shall be calculated with respect to the actual level of emissions
10 that exist in each district during the baseline year used in the state
11 implementation plan required by the federal Clean Air Act. All
12 reductions in emissions occurring after December 31 of the
13 baseline year, including, but not necessarily limited to, reductions
14 in emissions resulting from measures adopted prior to December
15 31 of the baseline year, shall be included in this calculation.